

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

MICHAEL BRISCOE,
JEFF CARLTON, and
MICHAEL SINGELTON,

Plaintiffs,

v.

QUIXTAR, INC.,

Defendant.

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SEP 12 2008

DAVID J. MALAND, CLERK
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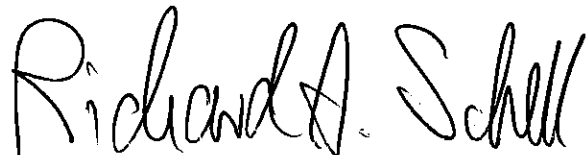
**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 19, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiffs' Motion for Temporary Restraining Order (Dkt. 4) be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, Plaintiffs' Motion for Temporary Restraining Order (Dkt. 4) is DENIED.

IT IS SO ORDERED.

SIGNED this 11th day of Sept., 2008.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE